

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- Allegation of corruption against Sri Ambati Simhachalam Naidu, Multipurpose Health Extension Officer (Retired) O/o District Medical & Health Officer, Visakhapatnam – prosecuted – convicted by the Anti Corruption Bureau Court – Dismissed from service – Criminal Appeal No.170/2008 filed in High Court of Andhra Pradesh – conviction orders Set-aside - Further action dropped and regularization of suspension period and the period from the date of dismissal to date of retirement treated as on duty - Orders Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.1) DEPARTMENT

G.O.RT.No. 617

Dated:06.10.2015

Read the following:

1. From the DG, ACB, AP, Lr.No.137/RCT-WVP/2001-S-11, Dt.19-9-2001 and 08-1-2002.
2. GO.Ms.No.89, HM&FW(VC1) Dept, Dt.28-03-2002
3. GO.Rt.No.356, HM&FW(VC1) Dept, Dt.13-4-2004
4. Order dt.17.1.2008 of the Special Judge for SPE & ACB cases, Visakhapatnam in CC No.13/2002
5. Lr.No.137/RCT-WVP/2001-S-11, dt.24.1.2008 of the DG, ACB, A.P. Hyderabad.
6. G.O.Ms.No.72, HM&FW(VC1) Dept, Dt.15-3-2008.
7. Order dt.25.2.2011 of the Hon'ble High Court of A.P.in Criminal Appeal No. 170/2008 filed by Sri A.Simhachalam Naidu, MPHEO (under dismissal).
8. Lr.No.137/RCT-WVP/2001-S-11, Dt.09-5-2011 of the D.G.A.C.B., A.P. Hyderabad.
9. Govt. Letter No.7488/VC1(1)/2008 Dt:15-6-2011
10. Orders dt.24.3.2014 of the Hon'ble Supreme Court of India, New Delhi in SLP Criminal No.8627/2011.
11. Representations of Sri A. Simhachalam Naidu, MPHEO (Retired) O/o DM&HO, Visakhapatnam Dt. 21/8/2014 and 20-10-2014
12. Lr.No.137/RCT-WVP/2001-S-11, Dt.13-11-2014 of the DG, ACB, A.P. Hyderabad

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ORDER:

Whereas in the letters 1st read above, the Director General, Anti Corruption Bureau has informed that Sri A.Simhachalam Naidu, while working as Multipurpose Health Extension Officer (M) Office of the District Medical & Health Officer, Visakhapatnam, was trapped by the Anti Corruption Bureau Officials on 03-09-2001 when he demanded and accepted an amount of Rs.3,000/- from the complainant. He was placed under suspension by the Regional Director Medical & Health Services, Visakhapatnam. Government have issued orders to prosecute the accused officer before the Court of Law vide G.O. 2nd read above. Later he was reinstated into service vide G.O. 3rd read above. In Judgment 4th read above the Hon'ble Anti Corruption Bureau court has convicted and sentenced the accused officer to undergo imprisonment. Government after examining the matter has issued orders dismissing the accused officer Sri A. Simhachalam Naidu, Multipurpose Health Extension Officer O/o District Medical & Health Officer, Visakhapatnam vide G.O. 6th read above. The date of retirement of the accused officer is 31.5.2010.

2. Aggrieved by the dismissal orders, Sri A. Simhachalam Naidu, Multipurpose Health Extension Officer (under dismissal) has filed a Criminal Appeal No.170/2008 in the Hon'ble High Court of A.P. against the orders dt.17.1.2008 of the Special Judge for SPE & ACB cases. The Hon'ble High Court has allowed the appeal preferred by the Accused Officer and set aside the judgment of the trial court in which conviction and sentence was ordered against him.

3. In the representations 11th read above, Sri A. Simhachalam Naidu, Multipurpose Health Extension Officer (Retired) O/o District Medical & Health Officer, Visakhapatnam has requested to consider his representation to treat the suspension period from 18-9-2001 to 20-05-2004 and from the date of dismissal to date of his retirement i.e., 30-3-2008 to 31-5-2010, as on duty with all consequential benefits as the SLP filed by the Government has been dismissed .

4. In the letter 12th read above, the Director General, Anti Corruption Bureau, Hyderabad has informed that the Supreme Court by their order dt. 24/3/2014 dismissed the SLP and confirmed the acquittal judgment of the High Court of Andhra Pradesh. The Accused Officer. was retired from service on superannuation on 31-5-2010 and in the light of the above position action may be taken in the matter

5. Government after careful examination of the matter has decided to drop further action against Sri Ambati Simhachalam Naidu, Multipurpose Health Extension Officer (Retired) O/o. District Medical & Health Officer, Visakhapatnam and to treat the suspension period i.e., from 18.9.2001 to 20.5.2004 and the period from the date of dismissal to date of retirement i.e., from 30-3-2008 to 31-5-2010, of Sri A. Simhachalam Naidu, MPHEO ((Retired) O/o District Medical & Health Officer, Visakhapatnam as duty duly cancelling the dismissal orders issued in the G.O.6th read above in the matter.

6. Accordingly , Government hereby order to drop further action against Sri Ambati Simhachalam Naidu, Multipurpose Health Extension Officer (Retired) O/o District Medical & Health Officer, Visakhapatnam and to treat the suspension period from 18.9.2001 to 20.5.2004 and the period from the date of dismissal to date of retirement i.e., from 30-3-2008 to 31-5-2010, of Sri A. Simhachalam Naidu, Multipurpose Health Extension Officer (Retired) O/o District Medical & Health Officer, Visakhapatnam as duty duly cancelling the dismissal orders issued in the G.O.6th read above in the matter.

7. The Director of Public Health & Family Welfare , AP, Hyderabad shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri A. Simhachalam Naidu, Multipurpose Health Extension Officer (Retired) O/o District Medical & Health Officer, Visakhapatnam through the Director of Public Health & Family Welfare , AP, Hyderabad.

The Director of Public Health & Family Welfare , AP, Hyderabad.

The District Medical & Health Officer, Vishakhapatnam

Copy to

The Director General, Anti Corruption Bureau, A.P., Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, A.P., Secretariat.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER